

KING & SPALDING

King & Spalding LLP
1185 Avenue of the Americas
New York, NY 10036-4003

Tel: (212) 556-2100
Fax: (212) 556-2222
www.kslaw.com
Arthur Steinberg
Direct Dial: 212-556-2158
asteinberg@kslaw.com

May 31, 2017

**VIA E-MAIL TRANSMISSION
AND ECF FILING**

The Honorable Martin Glenn
United States Bankruptcy Judge
United States Bankruptcy Court
Southern District of New York
Alexander Hamilton Custom House
One Bowling Green
New York, New York 10004

**Re: In re Motors Liquidation Company, et al.
Case No. 09-50026 (MG)**

**Letter Regarding the *Moore* Lawsuits, Which Are Subject To New
GM's Motion to Enforce, dated June 24, 2016, and Which May Be
Impacted by the 2016 Threshold Issues**

Dear Judge Glenn:

In its letter to the Court dated May 15, 2017 [ECF No. 13938], General Motors LLC ("**New GM**") identified the *Moore* lawsuits¹ as cases with an upcoming trial date. Specifically, New GM stated that the *Moore* trial date was scheduled for July 17, 2017, although it could be adjourned until the fall of 2017. It now appears that the trial in the *Moore* lawsuits is scheduled for September 5, 2017.

The state court deadline for dispositive motions in the *Moore* lawsuits is May 31, 2017; a copy of New GM's summary judgment motion ("**New GM's SJ Motion**") filed with the state court with respect to non-bankruptcy issues is attached hereto as **Exhibit "A."**²

¹ There are two *Moore* lawsuits, which are companion cases, pending in the Court of Common Pleas, Seventh Judicial Circuit, County of Spartanburg, South Carolina. Copies of the two fifth amended complaints by the *Moore* plaintiffs are contained in ECF Nos. 13655-9 and 13655-10.

² In New GM's SJ Motion, it argues that as a matter of applicable non-bankruptcy law (a) there is no valid claim for failure to recall/retrofit the *Moore* Vehicle, and (b) the *Moore* plaintiffs did not present the evidence needed to support a valid duty to warn claim, or a request for punitive damages. If granted, New GM's SJ Motion would moot the bankruptcy issues pending in this Court relating to the *Moore* lawsuits.

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The *Moore* lawsuits were named in New GM's motion to enforce filed with the Court on June 24, 2016 ("**June 2016 Motion to Enforce**"). See ECF No. 13655.³ Certain of the issues in the *Moore* lawsuits also are related to the 2016 Threshold Issues that are *sub judice* with the Court.⁴ The bankruptcy issues with respect to the *Moore* lawsuits were referenced but not briefed in New GM's SJ Motion since such issues are pending before this Court.

This letter is written to advise the Court of the revised trial date in the *Moore* lawsuits, as well as the recent summary judgment motion on non-bankruptcy issues.

Respectfully submitted,

/s/ Arthur Steinberg

Arthur Steinberg

AS/sd
Encl.

³ The *Moore* plaintiffs filed an objection to the June 2016 Motion to Enforce [see ECF No. 13674], and New GM filed a reply thereto [see ECF No. 13681]. The *Moore* plaintiffs (a) filed a pleading in connection with the punitive damages issue identified in the September 2015 Scheduling Order [see ECF No. 13888-4], and (b) were served with the Court's December 13, 2016 Order to Show Cause [see ECF No. 13804], but they did not file pleadings in connection therewith.

By way of brief background: the *Moore* plaintiffs are Non-Ignition Switch Post-Closing Accident Plaintiffs. New GM has asserted that the *Moore* plaintiffs made improper allegations, improper claims (duty to warn as an Independent Claim, and duty to recall as an Assumed Liability and Independent Claim), and an improper request for punitive damages.